

REMARKS

Claims 1-6 and 9-19 remain in connection with the present application with claims 1, 14, 15, 16, 17, 18 and 19 being independent. Reconsideration in view of the following remarks is kindly requested.

Claim Objections

Claims 1 and 14-19 were objected to by the Examiner. Applicants have revised these claims and respectfully submit that the objections are now moot.

35 USC § 102 Rejections

Claims 1-6, 9 and 12-19 were rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,847,644 to Jha ('Jha'). Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Each of the claims of the present invention include the feature of a channel identification ("channel ID") field that is used to route a digital container through a communications network. Jha does not disclose or suggest such a field.

In the Office Action the Examiner equates Jha's MPLS labels to the claimed channel ID field. However, Jha describes MPLS labels as " a series of labels" (see column 3, line 60). In contrast, the claimed identifier is not a series of labels.

Accordingly, Applicants respectfully request withdrawal of the rejections and allowance of claims 1-6, 9 and 12-19.

The Section 103 Rejections of Claims 10 and 11

Claims 10 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jha. Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Initially, the Applicants note that claims 10 and 11 depend on claim 1 and are therefore patentable over Jha for the reasons set forth above.

Continuing, the Examiner implicitly, if not explicitly, acknowledges that Jha does not disclose the subject matter of claims 10 and 11, namely, a payload control field in the header section of a digital container that indicates that the contents of a payload section are dedicated to: (a) a single user (claim 10; or (b) two or more users (claim 11). Nonetheless the Examiner appears to be taking the position that the combination of Jha's packet identifier and MAC address are suggestive of the claimed payload control field. Applicants respectfully submit that the Examiner is confusing payload type with payload destination. Jha's packet identifier is used to identify the type of packet, not its destination.

Further, while MAC addresses indicate destinations they do not indicate whether the contents of a payload are intended for a single user or more than one user; they are unrelated to the number of users associated with a payload.

Accordingly, because Jha does not disclose or suggest the subject matter of claims 10 or 11, Applicants respectfully request withdrawal of the pending rejections and allowance of claims 10 and 11.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 266-3330 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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JEC